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2016 MAR 21 PM 2:40

Rupert Baptiste

Union NJ 07083

OFFICE OF GENERAL
COUNSEL

February 20, 2016

Office of General Counsel
Federal Election Commission
999 E Street, N.W.,
Washington, D.C. 20463

Cc: U.S. Department of Labor
Office of Inspector General
200 Constitution Ave N.W.
Rm S-5506
Washington, D.C. 20210

MUR # 7028

To Whom It May Concern:

I, Rupert Baptiste, am writing to file a complaint against Michael Maloney and the Local 9 Union due to the violation of the Deduction of wages for Union PAC's, which states that any contributions made to PACs must be voluntarily given. They have been automatically deducting over \$7000^{per year} from my paycheck without my authorization or offering. Other members have gone to the Union and requested their money be returned and they have been successful, however when I went to get my money reimbursed they refused to do so or have not responded to my letter. I have included a letter sent to Mr. Maloney as well as my pay stubs showing the amount of money taken out from my paychecks.

Fraternally yours,


Rupert Baptiste



Notary Public

Shanice Lawrence
Notary Public
New Jersey
My Commission Expires 8-13-19
No. 2449290

Subscribed and sworn to before
me on this 16 day of March, 2016.

Rupert Baptiste

January 13, 2016

Union, NJ 07083

Local 9 Plumbers & Pipefitters

2 Iron Ore Rd. rt. 33

Englishtown, NJ 07726

Attn: Michael Maloney

RE: 2014 and 2015 Volunteer Funds Refund

Mike,

Here are my hours and break down for these funds.

2014 = 2,516 Hours Target = \$2,516.00 PAC = \$754.80 Benevolent = \$880.60

2015 = 2,089 Hours Target = \$2,089.00 PAC = \$731.15 Benevolent = \$731.15

Thank You,

Rupert Baptiste

DELL'ITALIA & SANTOLA

ATTORNEYS-AT-LAW

18 TONY GALENTO PLAZA
ORANGE, NEW JERSEY 07050
Telephone (973) 672-8000
Telecopier (973) 672-8215

DASBARRISTERS@GMAIL.COM
JOHNPDELL@AOL.COM

301 S. LIVINGSTON AVENUE, SUITE 100
LIVINGSTON, NEW JERSEY 07039
Telephone (973) 535-8811
Telecopier (973) 672-8215

JOHN P. DELL'ITALIA, ESQ.

STACY A. SANTOLA, ESQ.

REPLY TO ORANGE, NJ

February 3, 2016

via regular and certified mail
return receipt requested

Furino & Sons, Inc.
66 Columbia Road
Branchburg, New Jersey 08876

RE: RUPERT BAPTISTE

Dear Sir/Madam:

Please be advised that this office represents Rupert Baptiste with regard to certain funds that have been deducted from his paycheck over the last 2 years. Attached hereto is his spreadsheet reflecting the amount actually deducted for the years 2014 and 2015. I am also attaching a copy of a letter dated September 16, 2014, wherein Mr. Baptiste indicated that he never provided you with authorization for these deductions and requested a refund regarding same. It is my understanding that these monies continue to be deducted from his check. If you believe you have authorization to deduct these funds, please provide me with evidence of same.

By my calculations, Mr. Baptiste is currently entitled to a total refund of \$7,702.70, based upon deductions taken for the years 2014 and 2015.

I would appreciate your response at your earliest opportunity.

Very truly yours,

DELL'ITALIA & SANTOLA

BY: STACY A. SANTOLA, ESQ.

SASbn
enclosures

cc: Rupert Baptiste

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Deduction of wages for union fees.
Federal Election Campaign Act ("FECA") and regulations 52 U.S.C. 3011(b)(3)(C) require contributions to Political Action Committees ("PACs") be voluntary. This is also set forth in regulation 52 C.F.R. 5114.5(a)(1).

(a) Voluntary contributions to a separate segregated fund. (1) A separate segregated fund is prohibited from making a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal, or by dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment or by monies obtained in any commercial transaction. For purposes of this section, fees or monies paid as a condition of acquiring or retaining membership or employment are monies required as a condition of membership or employment even though they are refundable upon request of the payor.

Like union dues, there must be a written authorization from the employee to permit the deduction. The Federal Election Commission explains:

"No Reverse Checkoff"

When collecting SSF contributions, a connected organization may not use a reverse checkoff plan—i.e., a collection system whereby the contributions are automatically deducted from an individual's paycheck without his or her prior approval. Such a system results in an involuntary contribution, even if the individual can subsequently request a refund of the amount deducted. See, e.g. AO-2001-4 n.4. See generally, 114.5(a)(1)."

This background shows the Union's practices of collecting PAC money under the CB and the law, are contrary to federal law.

Rupert Baptiste

**Union NJ 07083
September 16, 2014**

**Local 9 Plumbers and Pipefitters
2 Iron Ore Road at Route 33
Englishtown NJ 07726**

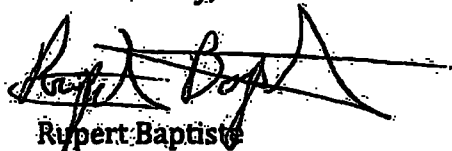
ATTN: Michael Maloney

RE: IAF and PAC Fund

Dear Mike,

Please note that I never gave my authorization for money to be taken from my check for Industry Advancement Fund (Target) also PAC fund so please refund all money from my paycheck for these funds.

Fraternally,



Rupert Baptiste

1804443427